

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|                                     |   |                     |
|-------------------------------------|---|---------------------|
| <b>LARRY RAFIQ SAMUELS,</b>         | : | <b>CIVIL ACTION</b> |
| <i>Plaintiff,</i>                   | : |                     |
|                                     | : |                     |
| <b>v.</b>                           | : |                     |
|                                     | : |                     |
| <b>WARDEN JULIO ALGARIN, et al.</b> | : | <b>NO. 17-5679</b>  |
| <i>Defendants.</i>                  | : |                     |

**ORDER**

**AND NOW**, this 23<sup>rd</sup> day of March 2018, upon consideration of Mr. Samuels's Amended Complaint [ECF No. 6], it is **ORDERED** that:

1. For the reasons set forth in the accompanying Memorandum, the Amended Complaint is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for failure to state a claim,.

2. Mr. Samuels is given leave to file a second amended complaint within thirty (30) days of the date of this Order. If Mr. Samuels files a second amended complaint, he shall name all defendants in the caption and state how each defendant was involved in the violations of his rights. Any second amended complaint must be a complete document that sets for the basis for Mr. Samuels's claims without relying on prior complaints filed in this case. If Mr. Samuels does not file a second amended complaint, his case may be dismissed for failure to prosecute without further notice. If Mr. Samuels files a second amended complaint, the Clerk shall not make service until so ORDERED by the Court.

**BY THE COURT:**

*/s/ Nitza I. Quiñones Alejandro*  
**NITZA I. QUIÑONES ALEJANDRO**  
*United States District Court Judge*